

1<sup>st</sup> day of work from vacation/family leave of absence  
Scheduled at 1:30 p.m. to 11:30 p.m. everyday from March 12, Tuesday to March 16,  
Saturday

Manager, Jaime San Miguel called me in the office and informed me of the situations that happened while I was gone. Charina Fontenot, 2<sup>nd</sup> Asst. hurt her back and can't work until March 15, 2002. Jeff Furber, Full Time Person in Charge was terminated. Johna Havard a 2<sup>nd</sup> Asst. from Wasilla Store was helping us out at the spring resent.

During the conversation he asked me if I know anything about Charina Fontenot looking for another job. I told him that I have not talked to her since I came back from my Family Leave of Absence. He asked me how I was doing and asked about my daughter. I told him I was sad leaving my daughter in the Phil. I told him I still don't know if leaving her with my relatives is the right decision. I mentioned that I am thinking that if I decided to leave my daughter there for a long time I might take a 6 months family leave and come back again but I told him that that will not be happenning very soon because I still have to disposed my properties in here and then give him a month's notice. I told him that it might be before the end of the year if I decide.

He did not ask me to help Johna but instead gave me a tour and also told me to finish the 3 carts of transfer (docker pants) to Fairbanks store. Later on the day I noticed that the tour was dated march 13, I presumed since it was a long tour he was expecting it to be turned in the next day.

I finish the transfer send him an OV. The same night another part time PIC, Julita Lim came to me and told me her problem about the Baby furniture Planogram. She said that Jaime San Miguel instructed her to finish that planogram because another employee Minerva Cortez who was originally instructed to do it did not want to. I could not find the UPL for the said Planogram and it would take me all night to type a UPL manually so I left an Office Vision to Jaime that I ordered the UPL.

March 13, 2002

He send me an Office Vision my recovery the previous night was not good. I came to him and apologize I said I am sorry if it is not excellent. I explained that we were busy and that It was my first day back and there were so much things to do.

He sent me another office vision about the baby furniture deck. He wanted it done tonight although he have another long tour for Minerva Cortez. I started the planogram.

March 14, 2002

Jaime San Miguel called me at the manager's office and told me that there were a lot of spots that were missed again the night before (March 13). He showed me a long list of

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those spots. He showed me pictures of bad recoveries while I was gone he said that my recovery was better than those pictures but still missed a lot of spots.

I explained to him that we were very busy. We discussed a lot of topics he mentioned that we have follow standards and that If somebody will lose a job for not following that will not be him. He mentioned to me that he knows that I have some family problems going on and that moment I stop him and said that please do not involved the situation about my child. I told him that the day before I was at the store from 1:30 to almost midnight and did not leave the store even at lunch so I do not feel that my work performance is effected by that. I said that yes I am sad whenever I thought of her that is why I do not need anybody to remind me of her.

Jaime San Miguel also told me that he did not like the way I set up the baby furniture deck planogram. I told him that that was what the book said. In previous situations he wants us to follow everything by the book. His policy was don't even think just do what the book says. This time he wanted me to adjust some items to find ways to display them with a very limited room. I did what he told me to do I adjusted it again and spend the whole evening making new UPL and adjusting the planogram.

I left the manager's office very sad. When the night crew showed up I called them at the shoe stock room and had a short meeting with them. I read to them the note that Jaime read to me earlier. Everybody was not happy because all of us believed that we did a good job the night before.

Two employees gave him a notice to quit but he talked to these employees on later dates to stay and continue working

The same day Johna Havard called in sick. She was scheduled to work in the morning. When I showed up at 1:30 have to straighten the CHL section because Johna was out sick. Our store was very busy again.

March 15, 2002

Johna Havard got sick again on the job. She had to go home. She started the day by rearranging the children's section. She had to leave on an emergency. She left a quick layout to Sita Catli and Sara Dexter on what to do. They were both at lost when I showed up at 1:30 pm. I help them and we did as much as we could following her layout.

Store was very busy.

March 16,

It was Saturday and the store was very busy. We had a a 50% off clearance event. There were lots of out of town shoppers. When I showed up at 1:30 pm Johna Havard told me that I had no closing cashier because Jennifer Kipple my closing cashier called in sick. I out Julita to be the closing cashier. That night at around 6:00 Julita Lim went to

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luch and did not came back until after 2 1/2 or 3 hours. She had dinner with Jaime San Miguel, Kaylona Hasse, Jeff Smith and Johna Havard in El Sombrero. Jaime San Miguel know that Julita Lim was on the clock and should not be dining with them for almost three hours. Johna Havard knew that my closing cashier was sick and Julita replaced her. I have to be a back up cashier, PIC and still tried to finish all the tours.

March 17, 2002

I came in at 1:30 pm and Sara Dexter came to me. She told me that I should watch my back because she felt that Jaime was planning something against me. Before that conversation she warned me that Johna Havard was very vocal in wanting to move here in Juneau because she was starting to date Jeff Smith, another employee and wanted to be a Lead Assitant.

Sara repeated to me again that she felt that Johna and Jaime are setting up something to get rid of me. I went to work after that conversation. Cleaned the stock rooms and did the normal routine that had to be done.

March 18, 20002

I came in at 1:30 pm. Went upstairs and talked to Jaime San Miguel briefly about what happened the night before. I updated him on all the projects I was assigned. The spur of the moment things that I had to take care of like: I finished the shoe audit due Monday because Jeff Smith did not do it. Clean up the stock room and will finish all the other odds and ends that day.

I discussed with him all the progress and he said alright. I took the cell phone (store use) and left. Sita Catli approach me and asked for help to finish her Levi's petite planogram. When I way half-way done Jaime San Miguel called me on the phone and wanted me to go upstairs. On my way up at the manager's office I met him at the stairs and he told me to come back because he need to take care of something. I came back and continue helping Sita Catli. After 30 minutes he called me again and to go upstairs to meet him. On my way up I met Johna Havard going on her way down the stairs.

Instead of talking to me at the manager's office Jaime San Miguel told me to go inside the director's office, asked me to sit down and he closed the door. The Director, Fred Sayre was sitting on his desk, Jaime San miguel was standing close to the door and he started talking. He showed me an employee warning notice and started to read it to me. After finishing he wanted me to sign in and I refused. I was already so intimidadted, I started to cry and depend myself but I felt I will passed out. I was sobbing and could hardly talk. The directed adds that they know that I have some family problems and I stop him again and said please don't use that as an excuse. I know that you have somebody else in your mind to take my position so please don't use my daughter as an excuse to all of these. I was so intimidated by two men inside a very small office and all I can think of is to walk out.

I left and went to the Apparel Stockroom. I could not control my tears and I was sobbing so hard. There were few employees there and they told me to go back and get a copy of the warning notice that they wanted me to sign. I took all the courage left on me and went back. Knock on the door and asked if I can get a copy of the warning. Jaime San Miguel was very hesitant to give me the copy. He wanted me to sign it first before but I was standing on the door (open) and was sobbing so hard so the director took the warning notice and gave me a copy. I went back to the stockroom still sobbing and decided to go home.

The next morning I call the time and attendance and I was informed that they already send my paper work for my last check. I called the Human Resources and inquire about the procedure and they told me I will get my last check in few days.

The next day my position was already posted and Johna Havard was already communicating and telling other employees that she will be back and she will get the position.

The current 2<sup>nd</sup> assistant Charina Fontenot, reported to work March 19, she was asked if she was interested in the position that I vacated she said no. She was informed that she was never promoted as 2<sup>nd</sup> assistant although all of the employees including her though she was. If she applied she would not get the job anyway because Johna Havard has higher position than her.

March 19, I left a message to our district manager, Dennis Affleck he was not at the office, He left me a message the next day and told me that whatever problem I have I have to settle it with Fred Sayre, the Director.

The reason why I believed that they push me out of the job are because of the ff:

1. I had a very good appraisal all the time. Work my way from part time shoe clerk to lead assistant in a period of 9 years and 2 months that I worked there. I had never been written up.
2. There was nobody in the department who was written up because their recovery was not good enough. Those pictures the he took to show to other PIC about their bad recoveries those employees were never written up.
3. He completely change my schedule the minute I came back. When I was part time PIC, until I became 2<sup>nd</sup> assistant I was closing almost every night because that is part of my job, when I was promoted as lead assistant I was not supposed to close every night anymore. I was only supposed to close once in a while during holiday seasons or in few cases.
4. About the planogram in BFN he wanted me to finish it right away inspite of the very many projects on top of it he wanted to write me up for not finishing the planogram while the two other employees he assigned the project before me was not even given a verbal warning.
5. He wanted me set up all display at the BFN deck I set up 4 display but the minute I was gone he change it right away. He sold all the display and put boxes and boxes of merchandise on top of the deck as showing in the picture.
6. He knew that we were very busy that Saturday, March 16, he knew that Julita Lim was supposed to be working yet he was with her and then he wanted to write me up when he was not happy to the recovery.
7. Employees came to me to warn me on what they felt was going on that Jaime San Miguel was trying to get rid of me, to replace me with a younger employee.